



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,491	11/21/2001	Risto Kiviranta	2201-1-006	3193
23565	7590	03/09/2004	EXAMINER	
KLAUBER & JACKSON 411 HACKENSACK AVENUE HACKENSACK, NJ 07601			SCHIFFMAN, JORI	
			ART UNIT	PAPER NUMBER

3679

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,491

Applicant(s)

KIVIRANTA ET AL.

Examiner

Jori R. Schiffman

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the reduced diameter portion of the spindle must be shown or the feature canceled from the claims. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross (US 1975296) in view of Duran (US 4655657).

Regarding claim 1, Ross discloses a fastener comprising a roller 1 rotatable about a spindle 8, and provided with a circular groove 3. Ross fails to disclose the particulars of the claimed fastener. Duran teaches a fastener comprising a spindle 18, the spindle 18 having a largest diameter portion 12, a large diameter portion 18, a reduced diameter

Art Unit: 3679

spindle extension 22, and a collar formed between the largest diameter portion and the large diameter portion, the roller adapted to be mounted around the spindle to abut against the collar, and to be dismountable and removable from around the spindle, the spindle having a wall with an outer surface and a cylindrical cavity 19, having its wall provided with at least one opening 17, a holder element 15 being adapted to move therein between clamping and release positions, respectively protruding through the at least one opening to protrude from the outer surface of the spindle capable of retaining a roller to the spindle and not protruding from the outer surface of the spindle, a pusher 25 adapted to be movably located within the cylindrical cavity and being movable between clamping and release positions thereof, and the pusher being formed with a thrust face 32 for the holder element 15, and a biasing means 35 biasing the pusher to shift from its release position to its clamping position, the thrust face of the pusher moves the at least one holder element 15 from its release position to its clamping position protruding from the outer surface of the spindle capable of retaining a roller to the spindle, and a plunger 38, whereby the pusher is movable against the force of the biasing means from its clamping position to its release position, the holder element being thus capable of shifting from its clamping position to its release position. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to replace the fastener of Ross with that disclosed in Duran so the mechanism can be connected to the roller with the holder elements 14,15, creating a more convenient and secure connection.

Regarding claim 3, Ross discloses the spindle comprising a stationary spindle 8 and the roller 1 being provided with a bearing 10, 11.

As to claim 4, Ross discloses the spindle comprising a rotatably pivoted spindle with respect to the roller.

As to claim 6, Duran discloses the plunger 38 comprising a push rod, extending from the cavity and having its end provided with an extension 26 having a diameter which is smaller than the inner diameter of the inner bearing 10 of Ross.

Regarding claim 7, Duran discloses the acute angle between the thrust face and the longitudinal axis increase towards the distal end of the pusher, and the thrust face section with a smaller angle bears against the holder element in the clamping position of the latter.

Referring to claim 8, Duran discloses the holder element comprising a ball 15.

As to claim 9, Duran discloses the number of holder elements 14, 15 and complimentary openings 16, 17 in the wall of the cavity being more than one, spaced from each other by an angular distance.

In regards to claim 10, Duran discloses the power unit comprising a mechanical spring 35, a section of its length being fitted in a cavity established with the pusher.

Regarding claim 11, Duran discloses the cavity 19 being cylindrical and the pusher comprising a piston type element.

As to claim 12, modified Ross discloses none of the components needing to be removed from the mechanism for the process of replacing the rollers and the bearing.

Response to Arguments

4. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Ross and Duran are both fasteners and it would therefore be obvious to one of ordinary skill in the art to look to the fastener taught in Duran when replacing the fastener disclosed in Ross. The exterior of bolt 18 of Duran functions as the spindle, and the rejection is deemed proper and therefore maintained.

Conclusion

5. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 3679

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jori R. Schiffman whose telephone number is 703-305-4805.

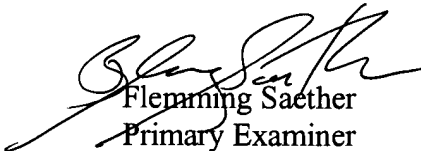
The examiner can normally be reached on M-Th, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on 703-308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jori R. Schiffman
Examiner
Art Unit 3679

JS


Flemming Saether
Primary Examiner